

REMARKS

Applicants respectfully request entry of the following amendments and remarks contained herein in response to the non-final Office Action mailed September 29, 2006. Applicants respectfully submit that the amendment and remarks contained herein place the instant application in condition for allowance.

Upon entry of the amendments in this response, claims 21 – 40 are pending. In particular, Applicants add claims 21 – 40 and cancel claims 1 – 20 without prejudice, waiver, or disclaimer. Applicants cancel claims 1 – 20 merely to reduce the number of disputed issues and to facilitate early allowance and issuance of other claims in the present application. Applicants reserve the right to pursue the subject matter of these canceled claims in a continuing application, if Applicants so choose, and do not intend to dedicate the canceled subject matter to the public. Reconsideration and allowance of the application and presently pending claims are respectfully requested.

I. Abstract Objection

The Office Action asserts that the Abstract is objected to because the Abstract should describe the disclosure sufficiently. In an effort to comply with the Examiner's request, Applicants amend the Abstract, as indicated above. Applicants submit that this amendment is for purposes of advancing prosecution only and is not intended to limit the scope of the present application. Applicants additionally submit that no new matter is added.

II. Summary Objection

The Office Action asserts that the Summary is objected to because the Summary should be directed toward the invention rather than the disclosure as a whole. In an effort to comply with the Examiner's request, Applicants amend the Summary, as indicated above. Applicants submit that this amendment is for purposes of advancing prosecution only and is not intended to

limit the scope of the present application. Applicants additionally submit that no new matter is added.

III. Rejections Under 35 U.S.C. §101

The Office Action indicates that claims 1 – 20 stand rejected under 35 U.S.C. §101 because the claimed invention allegedly is directed to non-statutory subject matter. In response to the Office Action’s request, Applicants cancel claims 1 – 20 and consider this issue moot.

IV. Rejections Under 35 U.S.C. §102

The Office Action indicates that claims 1 – 20 stand rejected under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent Number 6,101,491 (“Woods”). Applicants cancel these claims and consider this issue moot.

V. New Claims 21 – 40 are Allowable Over the Cited Art

A. New Claim 21 is Allowable

Applicants add new claim 21. Applicants submit that new claim 21 is allowable over the cited art for at least the reason that the cited art fails to disclose, teach, or suggest a “computer-readable medium comprising... computer-readable code adapted to instruct a programmable device to combine [a] first score and [a] second score” as recited in new claim 21.

B. New Claim 28 is Allowable

Applicants add new claim 28. Applicants submit that new claim 28 is allowable over the cited art for at least the reason that the cited art fails to disclose, teach, or suggest a “method comprising... combining [a] first score and [a] second score” as recited in new claim 28.

C. New Claim 35 is Allowable

Applicants add new claim 35. Applicants submit that new claim 35 is allowable over the cited art for at least the reason that the cited art fails to disclose, teach, or suggest a "system comprising... a combining component configured to combine [a] first score and [a] second score" as recited in new claim 35.

D. New Claims 22 – 27, 29 – 34, and 36 – 40 are Allowable

In addition, Applicants add new claims 22 – 27, 29 – 34, and 36 – 40. Applicants submit that new claims 22 – 27 are believed to be allowable for at least the reason that these claims depend from allowable independent claim 21. New claims 29 – 34 are believed to be allowable for at least the reason that these claims depend from allowable independent claim 28. Dependent claims 36 – 40 are believed to be allowable for at least the reason that these claims depend from allowable independent claim 35. *In re Fine, Minnesota Mining and Mfg. Co. v. Chemque, Inc.*, 303 F.3d 1294, 1299 (Fed. Cir. 2002).

CONCLUSION

In light of the foregoing amendments and for at least the reasons set forth above, Applicants respectfully submit that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the now pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested.

Any other statements in the Office Action that are not explicitly addressed herein are not intended to be admitted. In addition, any and all findings of inherency are traversed as not having been shown to be necessarily present. Furthermore, any and all findings of well-known art and Official Notice, or statements interpreted similarly, should not be considered well-known for the particular and specific reasons that the claimed combinations are too complex to support such conclusions and because the Office Action does not include specific findings predicated on sound technical and scientific reasoning to support such conclusions.

If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,

/afb/

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